

## **REMARKS / ARGUMENTS**

Claims 92-95 are pending in the present application. Of these, claim 92 is independent.

The “Cross Reference to Related Applications” portion of the specification has been amended to show the current state of the parent applications.

Claims 92-95 were rejected as being unpatentable over Acker et al (‘084) in view of the teaching of Maguire et al (‘288). Claims 92-95 were rejected as being unpatentable over Jenkins et al (‘199) in view of the teachings of Sanghvi et al (‘692).

### **Discussion**

Applicant submits that amended claim 92 is allowable over Acker, Maguire, Jenkins and Sanghvi since these references do not disclose or suggest that “the first, second and third ablating elements emit the focused ultrasound into the tissue structure around which the loop structure is adapted to be positioned around, the first, second and third ablating elements directing the focused ultrasound inward relative to the loop structure, the focal axes of the first, second and third ablating elements being aligned with one another and aligned circumferentially relative to the loop structure.” Nowhere do the cited references suggest positioning ablating elements which each emit focused ultrasound in this manner. In the Office Action it is asserted that Acker would inherently be able to form the claimed ablating device. Applicants respectfully submit that it would not have been obvious to form Acker in this manner since Acker is flexible in all planes and emits energy in all directions for the reasons set forth in Acker. The claimed structure necessarily requires a coordinated formation of the loop relative to the ablating elements. The claimed structure also requires a coordinated positioning and alignment of the ablating elements. Nowhere is such a structure disclosed or suggested by the cited references.

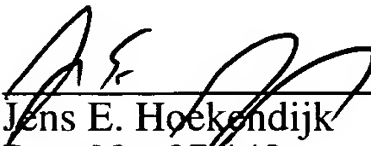
Dependent claims 93-95 are allowable since they depend from allowable independent claim 92 and because they recite independently patentable features. For example, dependent claim 95 recites that "the first, second and third ablating elements are movable along the body to create a continuous lesion along the body without moving the body" which, together with the limitations of independent claim 92, is not suggested by the cited references.

### **CONCLUSION**

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-412-3322.

Respectfully submitted,

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Date

  
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